

REMARKS

The present invention is a display assembly, a portable telephone, and a unitary display window for placement in registration with a display so that the display is viewable through a window. A display assembly in accordance with an embodiment of the invention includes a display 110; an illumination source 140; and a window 200 disposed adjacent the display, and through which the display is viewable, wherein an outer surface of the window facing the display is provided with an incorporated grating 300, 300' or 400 for distributing light from the illumination source in the direction of the display without the light passing through the window. See page 9, lines 19-24 of the Specification for a discussion of light being directed downwards from a surface of the window without passing through the body of the window.

In the Final Rejection, claims 18 and 19 were objected to regarding improper antecedent basis for "the display window". The claims have been amended to overcome the stated grounds of objection.

Claims 1-3, 6-9, 11, 12 and 16-20 stand rejected under 35 USC §102 as being anticipated by USP 6,243,150 (Watanabe et al). These grounds of rejection are traversed for the following reasons. With respect to claims 7-9, 11, 12 and 16-20.

Independent claim 7 substantively recites a window disposed adjacent to a display which is provided with an incorporated grating for distributing light from the illumination source in the direction of the display without the light passing through the window. This subject matter has no counterpart in Watanabe et al .

Watanabe et al discloses a liquid crystal display device in which a light source 5 provides light which passes through a lower substrate 4a and then downward toward a display 2a. The passage of the light through the lower substrate 4a is illustrated in Figs. 3, 4 and 6 in which light rays travel in the direction of the display after passing through the window. Independent claim 7 is not anticipated for the reason that, as discussed above, the present invention operates such that light from the illumination source is reflected in the direction of the display without the light passing through the window.

Dependent claims 7-9, 11 and 12 define further aspects of the present invention which are also not anticipated by Watanabe et al .

Moreover, there is no basis in the record why a person of ordinary skill in the art would be led to modify the teachings of Watanabe et al to arrive at the subject matter of claims 7-9, 11 and 12.

Claim 17 recites display assembly including a window having an outer surface disposed adjacent the display without an intervening layer of material therebetween, defining a gap between the outer surface and the display, the display being viewable through the window, wherein the outer surface of the window faces the display and is provided with an incorporated grating for distributing light from the illumination source, wherein when light is shown directly into the gap the grating distributes the light in the direction of the display without the light passing through an intervening layer of material. This operation is fundamentally different from that of Watanabe et al for the reason that Watanabe et al does not shine light into a gap between an outer surface and the display as claimed. Furthermore, the grating of Watanabe et

al does not distribute light in the direction of the display without the light passing through an intervening layer of material as claimed. As has been discussed above, the light of Watanabe et al passes into the lower substrate 49, is reflected therein and finally is reflected downward toward the display 2. Moreover, the subject matter of claim 17 is also not obvious in view of Watanabe et al.

Moreover, dependent claim 19 further limits claim 17 in defining more specific subject matter which is also not anticipated by Watanabe et al and also is not obvious in view of Watanabe et al.

The dependency of claim 20 has been amended to depend from claim 7. Claim 20 is patentable for the same reasons set forth above with respect to claim 7.

Claims 13-15 stand rejected under 35 USC §103 as being unpatentable over USP 6,398,379 (Imai) in view of Watanabe et al et al. These grounds of rejection are traversed for the following reasons.

Claim 13, like claim 7, recites a window facing the display which is provided with an incorporated grating for distributing light from the illumination source in the direction of the display without the light passing through the window. Imai does not cure the deficiencies noted above with respect to Watanabe in the discussion of claim 7. Therefore, if the proposed combination were made, the subject matter of claim 13 and claims 14-15 dependent therefrom would not be achieved since neither Imai nor Watanabe et al teaches the aforementioned subject matter.

Claims 10, 21 and 22 stand rejected under 35 USC §102 over Watanabe et al in view of USP 6,671,013 (Ohkawa). These grounds of rejection are traversed for the following reasons.

Okhawa has been cited as disclosing a light guide plate in a light source with projections which are non-uniform and symmetric for distributing light from illumination sources. Okhawa does not cure the deficiencies noted above with respect to Watanabe et al regarding the rejection of claim 7 from which claim 10 depends. Accordingly, even if the proposed combination of Watanabe et al and Okhawa were made, the subject matter of claim 10 would not be achieved regarding the window facing the display being provided with an incorporated grating for distributing light from the illumination source in the direction of the display without the light passing through the window.

Claim 21 is patentable for the same reasons set forth above with respect to claim 7.

Claim 22, which limits claim 17, is also patentable for the reasons set forth above with respect to claim 17. Okhawa does not cure the deficiencies noted above with respect to the discussion of claim 17.

Newly submitted claim 23 limits claim 17 in reciting a portable telephone comprising a display assembly wherein a further outer surface of the window defines an exterior surface of the portable telephone. Claim 23 is patentable for the same reasons set forth above with respect to claim 17.

Newly submitted claim 24 defines a unitary display window for placement in registration with a display so that the display is viewable through the window, wherein a first outer surface of the window is for exposure to a user, and a second outer surface of the window is for placement adjacent the display, the second outer surface being provided with an incorporated grating to distribute light from an

associated source of illumination in the direction of the display. This subject matter is patentable for the reason that Watanabe et al does not disclose a unitary display window for placement in registration with a display. The Examiner's consideration of the tablet 4 as being the display window precludes Watanabe et al from being considered to be a unitary display window such as illustrated in Figs. 5A, 5B and 6 of the present application. The tablet 4 in Watanabe et al is a laminate structure which would not be considered by a person of ordinary skill in the art to be a unitary display window and moreover, the spaced electrodes 4b and 4f are layers which are not unitary and are required to provide electrical signals.

Moreover, the grating of Watanabe et al directs light in a direction away from the display instead of "in the direction of the display" as may be seen from the light ray tracings in Figs. 3, 4 and 6 of Watanabe et al. Accordingly, claim 24 is patentable over Watanabe et al and the other prior art of record.

Newly submitted claims 25 and 26 further limit the subject matter of claim 24 in a manner which is neither anticipated nor rendered obvious by the prior art of record. Accordingly, claims 25 and 26 are patentable.

Claims 27-29 further limit claim 7 regarding the construction of the grating and the first surface of the window in a manner which is neither anticipated nor rendered obvious by Watanabe et al. Claims 27-29 are patentable for the same reasons set forth above with respect to claim 7.

In view of the foregoing amendments and remarks, it is submitted that each of the claims in the application is in condition for allowance. Accordingly, early allowance thereof is respectfully requested.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Docket No. 1156.40991CX1).

Respectfully submitted,
ANTONELLI, TERRY, STOUT & KRAUS, LLP

A handwritten signature in black ink, appearing to read "Donald E. Stout", is written over a horizontal line.

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